

Notification of Conflict of Interest Referral

For use in cases involving possible violations of 18 U.S.C. §§ 203, 205, 207-209 by current or former executive branch employees only; see reverse for summary of statutory/regulatory background. Please return directly to: U.S. Office of Government Ethics, 1201 New York Ave. NW, Suite 500, Washington, DC 20005-3917. Phone: Associate Director for Program Reviews (202) 482-9270. FAX: (202) 482-9238.

Agency Referring the Case Department of the Navy (NCIS)	Agency Case or Referral Number 22JUL11-CACS-0168-4CNA	Case Referred to: <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> DOJ, Public Integrity Section, Criminal Division <input checked="" type="checkbox"/> U.S. Attorney for (district) Charleston, SC </div> <input checked="" type="checkbox"/> DOJ, other
Date of Referral to DOJ 25 JUL 2011	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed. [REDACTED], former SPAWARSSYSCEN-Atlantic Charleston, SC	

PART I ETHICS TRAINING

Is there any evidence the individual received ethics training? ☐ YES ☐ NO ☒ UNCLEAR

PART II STATUTE(S) INVOLVED IN THIS CASE

Please check the appropriate box for the statute(s) involved in this case, then complete the rest of the information for the statute(s).

☐ **18 U.S.C. § 203 (Compensation for Representation Affecting the Government)**
 Federal entity before which representation occurred: _____
 Compensated representation on behalf of: _____
 Were representational services rendered or to be rendered: ☐ by the employee ☐ or by another?

☐ **18 U.S.C. § 205 (Representation Affecting the Government)**
 Federal entity before which representation occurred: _____
 Representation on behalf of: _____

☒ **18 U.S.C. § 207 (Post-Employment)**
 Federal entity before which representation occurred: Naval Warfare Systems Center-Atlantic
 Representation on behalf of: Scientific Research Corporation (SRC)
 Was the communication/representation: ☐ oral? ☐ and/or written?
☐ Former employee termination service before January 1, 1991. Check subsections involved:
☐ 207(a) ☐ 207(b)(1) ☐ 207(b)(2) ☐ 207(c)
☒ Former employee termination service on or after January 1, 1991. Check subsections involved:
☐ 207(a)(1) ☐ 207(a)(2) ☐ 207(b) ☒ 207(c) ☐ 207(d) ☐ 207(f)
 If 207(b) or 207(f) is checked, was behind-the-scenes aid or advice involved? ☒ Yes ☐ No

☐ **18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)**
 Does the case involve the financial interest: ☐ of the employee? ☐ of the employee's spouse?
☐ Minor child? ☐ A firm with which the employee was negotiating for employment?
☐ Other? (specify) _____
 Was a waiver sought? ☐ Yes ☐ No Was it granted? ☐ Yes ☐ No
 Was the employee required to file a financial disclosure form? ☐ Yes ☐ No If yes, check form involved:
☐ SF 278 ☐ OGE Form 450 ☐ Other (specify) _____
 If so, was the basis for the interest disclosed on the financial disclosure form? ☐ Yes ☐ No

☐ **18 U.S.C. § 209 (Supplementation of Salary)**
 Type of supplementation (meals, travel, cash, etc.): _____
 Value of supplementation: \$ _____ Number of supplements: _____

☐ **Additional Statutes Involved in Conflict of Interest Referrals**
 Was 18 U.S.C. § 201 (bribery/gratuity) involved? ☐ Yes ☐ No
 Was 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? ☐ Yes ☐ No
 Was 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? ☐ Yes ☐ No
 Was 18 U.S.C. § 1001 (false statements) involved? ☐ Yes ☐ No
 Was 5 U.S.C. App. (Ethics in Government Act) § 101 et seq. (Financial disclosure) involved? ☐ Yes ☐ No
 Other (list): _____

Agency Contact/Telephone Number

Date

 24 July 2011
 OGE Form 202 (11/04)

b6

Statutory/Regulatory Background

28 U.S.C. § 535 requires every department or agency to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the United States Code involving Government employees, including possible violations of 18 U.S.C. § 207 by former Government employees. The Director of the Office of Government Ethics (OGE), in accordance with 5 U.S.C. App. § 402(e)(2), has promulgated regulations at 5 C.F.R. § 2638.603 requiring agencies to concurrently notify the Director when any matter involving a violation of 18 U.S.C. §§ 203, 205, 207, 208, and/or 209 is referred to the Department of Justice pursuant to 28 U.S.C. § 535. Such notification may be accomplished by providing a copy of the referral document or by submitting this optional form, unless such notification would otherwise be prohibited by law. OGE regulations also require that the department or agency subsequently notify the Director of the referral's disposition, including any disciplinary or corrective action taken by the department or agency. 5 C.F.R. § 2638.603(c). Information relating to the disposition of a referral may be communicated to the Director in writing.

PART III ADDITIONAL AGENCY COMMENTS (if any):

SEE ATTACHED

PART IV DISPOSITION OF REFERRAL (OGE use only):

☐ DOJ declined prosecution.

☐ DOJ initiated prosecution.

Resolution:

Agency disciplinary or corrective action, if any:

On 23Feb11, NCISRA Charleston initiated this investigation following information regarding an alleged conflict of interest violation by a Space and Naval Warfare Systems Center-Atlantic (SSC-Lant) employee. An anonymous source reported that [REDACTED], a former Project Manager (PM) and SSC-LANT employee, engaged in fraudulent activity, to wit: overcharging the U.S. Government for hours worked; and using his position as the previous PM at SSC-Lant to influence SRC contract/projects. As background, [REDACTED] terminated his employment with SSC-Lant circa December 2008, and began employment with Scientific Research Corporation (SRC), North Charleston, SC, shortly thereafter. While employed at SSC-Lant, [REDACTED] served as PM on several contracts with SRC. Prior to terminating his employment, SSC-Lant General Counsel issued a Post-Government Service Employment Advisory Opinion providing [REDACTED] employment with SRC was not in violation of the Procurement Integrity Act (41 USC 423); however, certain restrictions may apply for [REDACTED] to engage in SRC contracts with SSC-Lant for which [REDACTED] was the PM; a violation of 18 USC 207.

Based upon the allegations presented by the anonymous source, SSC-Lant contacted SRC requesting information pertaining to [REDACTED]. SRC conducted an internal inquiry and placed [REDACTED] on administrative leave until resolution. SRC concluded that the allegations of [REDACTED] were unfounded and provided [REDACTED] timesheets verifying his work and authorized overtime. SRC indicated [REDACTED]'s projects at SRC neither directly nor indirectly supported programs at SCC-Lant for which he had responsibility while working at SSC-Lant with the exception of one project, which fell under contract number: N65236-08-D-6805. SRC indicated that although [REDACTED] worked on contract number: N65236-08-D-6805 while at SSC-105 Lant, that particular contract was very broad, encompassing multiple projects within the contract. SRC went on to state the project assigned to [REDACTED] was a new initiative assigned to contract number: N65236-08-D-6805, which did not begin until January 2010.

NCISRA Charleston conducted a thorough review of this complaint, which failed to substantiate violations perpetrated by [REDACTED] as described by the anonymous source. On 25Jul11, NCIS Reporting Agent contacted Dean SECOR, Assistant U.S. Attorney, District of South Carolina, and provided a brief on this investigation. AUSA SECOR advised that based upon the information provided, there were no criminal violations identified. As such, the U.S. Attorney's Office advised the investigation did not possess any prosecutorial merit and declined to prosecute.

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Agency Referring the Case DEPT OF THE NAVY	Agency Case or Referral Number CCN: 22SEP10-NFFM-0028-4CN	Case Referred to: <input type="checkbox"/> DOJ, Public Integrity Section, Criminal Division <input checked="" type="checkbox"/> U.S. Attorney for (district) Eastern Dist. of VA <input type="checkbox"/> DOJ, other
Date of Referral to DOJ May 2011	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed. [REDACTED]	

PART I ETHICS TRAINING

Is there any evidence the individual received ethics training? ☐ YES ☒ NO ☐ UNCLEAR

PART II STATUTE(S) INVOLVED IN THIS CASE

Please check the appropriate box for the statute(s) involved in this case, then complete the rest of the information for the statute(s).

☐ **18 U.S.C. § 203 (Compensation for Representation Affecting the Government)**
Federal entity before which representation occurred: _____
Compensated representation on behalf of: _____
Were representational services rendered or to be rendered: ☐ by the employee ☐ or by another?

☐ **18 U.S.C. § 205 (Representation Affecting the Government)**
Federal entity before which representation occurred: _____
Representation on behalf of: _____

☐ **18 U.S.C. § 207 (Post-Employment)**
Federal entity before which representation occurred: _____
Representation on behalf of: _____
Was the communication/representation: ☐ oral? ☐ and/or written?
☐ Former employee termination service before January 1, 1991. Check subsections involved:
☐ 207(a) ☐ 207(b)(i) ☐ 207(b)(ii) ☐ 207(c)
☐ Former employee termination service on or after January 1, 1991. Check subsections involved:
☐ 207(a)(1) ☐ 207(a)(2) ☐ 207(b) ☐ 207(c) ☐ 207(d) ☐ 207(f)
If 207(b) or 207(f) is checked, was behind-the-scenes aid or advice involved? ☐ Yes ☐ No

☒ **18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)**
Does the case involve the financial interest: ☒ of the employee? ☒ of the employee's spouse?
☐ Minor child? ☐ A firm with which the employee was negotiating for employment?
☐ Other? (specify) _____
Was a waiver sought? ☐ Yes ☒ No Was it granted? ☐ Yes ☐ No
Was the employee required to file a financial disclosure form? ☐ Yes ☒ No If yes, check form involved:
☐ SF 278 ☐ OGE Form 450 ☐ Other (specify) _____
If so, was the basis for the interest disclosed on the financial disclosure form? ☐ Yes ☐ No

☐ **18 U.S.C. § 209 (Supplementation of Salary)**
Type of supplementation (meals, travel, cash, etc.): _____
Value of supplementation: \$ _____ Number of supplements: _____

☐ **Additional Statutes Involved in Conflict of Interest Referrals**
Was 18 U.S.C. § 201 (bribery/gratuity) involved? ☐ Yes ☐ No
Was 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? ☐ Yes ☐ No
Was 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? ☐ Yes ☐ No
Was 18 U.S.C. § 1001 (false statements) involved? ☐ Yes ☐ No
Was 5 U.S.C. App. (Ethics in Government Act) § 101 et seq. (Financial disclosure) involved? ☐ Yes ☐ No
Other (list) _____

Agency Contact/Telephone Number

Date

10 JUN 2011

OGE Form 202 (11/04)

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Statutory/Regulatory Background

28 U.S.C. § 535 requires every department or agency to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the United States Code involving Government employees, including possible violations of 18 U.S.C. § 207 by former Government employees. The Director of the Office of Government Ethics (OGE), in accordance with 5 U.S.C. App. § 402(e)(2), has promulgated regulations at 5 C.F.R. § 2638.603 requiring agencies to concurrently notify the Director when any matter involving a violation of 18 U.S.C. §§ 203, 205, 207, 208, and/or 209 is referred to the Department of Justice pursuant to 28 U.S.C. § 535. Such notification may be accomplished by providing a copy of the referral document or by submitting this optional form, unless such notification would otherwise be prohibited by law. OGE regulations also require that the department or agency subsequently notify the Director of the referral's disposition, including any disciplinary or corrective action taken by the department or agency. 5 C.F.R. § 2638.603(c). Information relating to the disposition of a referral may be communicated to the Director in writing.

PART III ADDITIONAL AGENCY COMMENTS (if any):

NCIS Fraud Unit Norfolk, VA, the Defense Criminal Investigative Service and the FBI are working a joint investigation following information that [REDACTED] was a paid consultant for GLOBUS MEDICAL INCORPORATION (GMI) while assigned to the Naval Medical Center Portsmouth (NMCP) as an active duty service member and orthopedic surgeon. Information obtained indicated that [REDACTED] was paid approximately \$31,000 from 2007 to 2010 by GMI. While [REDACTED] employed as an orthopedic surgeon at the NMCP, [REDACTED] regularly authorized the government to purchase products from GMI. [REDACTED] almost exclusively used GMI products during his surgical procedures. [REDACTED] also works as a sales representative for GMI and is paid a commission for GMI products sold to local hospitals in the Hampton Roads area including Sentara and Obici.

On September 21, 2010, [REDACTED] C USN, Executive Officer, and [REDACTED] JAGC USN, Legal Officer, NMCP, were briefed pertaining to the allegations regarding [REDACTED]. [REDACTED] said pursuant to NAVMEDCENPTSVA INSTRUCTION 1050.4C (off-duty remunerative professional civilian employment of Naval Medical Center Personnel), some employees are allowed to "moonlight." Both [REDACTED] indicated that [REDACTED] was never authorized to "moonlight." [REDACTED] indicated [REDACTED] retired from the U.S. Navy on September 1, 2010. This investigation is being worked with the Assistant United States Attorney's Office Norfolk, VA.

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PART IV DISPOSITION OF REFERRAL (OGE use only):

☐ DOJ declined prosecution.

☐ DOJ initiated prosecution.

Resolution:

Agency disciplinary or corrective action, if any:

Notification of Conflict of Interest Referral

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Agency Referring the Case DEPT OF THE NAVY	Agency Case or Referral Number 19JAN11-NENL-0023-4CNA	Case Referred to: <input type="checkbox"/> DOJ, Public Integrity Section, Criminal Division <input checked="" type="checkbox"/> U.S. Attorney for (district) Connecticut <input type="checkbox"/> DOJ, other
Date of Referral to DOJ 18 FEB 2011	Name of Employee Involved in Case (optional), Agency, and Agency Component Where he/she was Employed. [REDACTED]	

PART I ETHICS TRAINING

Is there any evidence the individual received ethics training? ☐ YES ☐ NO ☒ UNCLEAR

PART II STATUTE(S) INVOLVED IN THIS CASE

Please check the appropriate box for the statute(s) involved in this case, then complete the rest of the information for the statute(s).

- ☐ **18 U.S.C. § 203 (Compensation for Representation Affecting the Government)**
Federal entity before which representation occurred: _____
Compensated representation on behalf of: _____
Were representational services rendered or to be rendered: ☐ by the employee ☐ or by another?
- ☐ **18 U.S.C. § 205 (Representation Affecting the Government)**
Federal entity before which representation occurred: _____
Representation on behalf of: _____
- ☒ **18 U.S.C. § 207 (Post-Employment)**
Federal entity before which representation occurred: Commander Navy Installations Command (CNIC) Millington, TN
Representation on behalf of: Parsons Infrastructure & Technology Group Inc.
Was the communication/representation: ☐ oral? ☒ and/or written?
☐ Former employee termination service before January 1, 1991. Check subsections involved:
☐ 207(a) ☐ 207(b)(i) ☐ 207(b)(ii) ☐ 207(c)
☒ Former employee termination service on or after January 1, 1991. Check subsections involved:
☐ 207(a)(1) ☐ 207(a)(2) ☐ 207(b) ☒ 207(c) ☐ 207(d) ☐ 207(f)
If 207(b) or 207(f) is checked, was behind-the-scenes aid or advice involved? ☐ Yes ☐ No
- ☐ **18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)**
Does the case involve the financial interest: ☐ of the employee? ☐ of the employee's spouse?
☐ Minor child? ☐ A firm with which the employee was negotiating for employment?
☐ Other? (specify) _____
Was a waiver sought? ☐ Yes ☐ No Was it granted? ☐ Yes ☐ No
Was the employee required to file a financial disclosure form? ☐ Yes ☐ No If yes, check form involved:
☐ SF 278 ☐ OGE Form 450 ☐ Other (specify) _____
If so, was the basis for the interest disclosed on the financial disclosure form? ☐ Yes ☐ No
- ☐ **18 U.S.C. § 209 (Supplementation of Salary)**
Type of supplementation (meals, travel, cash, etc.): _____
Value of supplementation: \$ _____ Number of supplements: _____
- ☐ **Additional Statutes Involved in Conflict of Interest Referrals**
Was 18 U.S.C. § 201 (bribery/gratuity) involved? ☐ Yes ☐ No
Was 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? ☐ Yes ☐ No
Was 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? ☐ Yes ☐ No
Was 18 U.S.C. § 1001 (false statements) involved? ☐ Yes ☐ No
Was 5 U.S.C. App. (Ethics in Government Act) § 101 et seq. (Financial disclosure) involved? ☐ Yes ☐ No
Other (list): _____

Agency Contact/Telephone Number

Date

al Criminal Investigative Service: 1202-433-1243

23 FEB 2011

OGE Form 202 (11/04)

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Statutory/Regulatory Background

28 U.S.C. § 535 requires every department or agency to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the United States Code involving Government employees, including possible violations of 18 U.S.C. § 207 by former Government employees. The Director of the Office of Government Ethics (OGE), in accordance with 5 U.S.C. App. § 402(e)(2), has promulgated regulations at 5 C.F.R. § 2638.603 requiring agencies to concurrently notify the Director when any matter involving a violation of 18 U.S.C. §§ 203, 205, 207, 208, and/or 209 is referred to the Department of Justice pursuant to 28 U.S.C. § 535. Such notification may be accomplished by providing a copy of the referral document or by submitting this optional form, unless such notification would otherwise be prohibited by law. OGE regulations also require that the department or agency subsequently notify the Director of the referral's disposition, including any disciplinary or corrective action taken by the department or agency. 5 C.F.R. § 2638.603(c). Information relating to the disposition of a referral may be communicated to the Director in writing.

PART III ADDITIONAL AGENCY COMMENTS (if any):

Investigation was initiated following a report from [REDACTED] to Fleet and Family Readiness (N-9), Commander Navy Installations Command (CNIC), Millington, TN that [REDACTED], a former U.S. Navy [REDACTED] signed a solicitation as a representative of a contractor bidding on a CNIC contract. According to [REDACTED] is prohibited by law from representing a contractor seeking U.S. government business for one year following his departure from military service. [REDACTED] stated the [REDACTED] had only been retired for about six months when he signed the solicitation. Inquiries at CNIC Millington revealed that the former [REDACTED] did not personally contact anyone connected with the contract or communicate with them in any way regarding the solicitation of the contract.

On 18 FEB 2011, NCIS briefed the allegation to [REDACTED] National Security and Major Crimes Unit, U.S. Attorney's Office, District of Connecticut, New Haven, CT [REDACTED] stated that based on the results of this investigation, the USAO will not pursue conflict of interest charges against [REDACTED]. This investigation is closed.

PART IV DISPOSITION OF REFERRAL (OGE use only):

☐ DOJ declined prosecution.

☐ DOJ initiated prosecution.

Resolution:

b6

Agency disciplinary or corrective action, if any:

Notification of Conflict of Interest Referral

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Agency Referring the Case NCIS	Agency Case or Referral Number 26JUN09-DCPX-0068-4CNA	Case Referred to: <input type="checkbox"/> DOJ, Public Integrity Section, Criminal Division <input checked="" type="checkbox"/> U.S. Attorney for (district) Greenbelt, MD <input type="checkbox"/> DOJ, other
Date of Referral to DOJ 24 JUN 11	Name of Employee Involved in Case (optional). Agency, and Agency Component Where he/she was Employed. [REDACTED]	

PART I ETHICS TRAINING

Is there any evidence the individual received ethics training? ☐ YES ☐ NO ☒ UNCLEAR

PART II STATUTE(S) INVOLVED IN THIS CASE

Please check the appropriate box for the statute(s) involved in this case, then complete the rest of the information for the statute(s).

☐ **18 U.S.C. § 203 (Compensation for Representation Affecting the Government)**

Federal entity before which representation occurred: _____

Compensated representation on behalf of: _____

Were representational services rendered or to be rendered: ☐ by the employee ☐ or by another?

☐ **18 U.S.C. § 205 (Representation Affecting the Government)**

Federal entity before which representation occurred: _____

Representation on behalf of: _____

☒ **18 U.S.C. § 207 (Post-Employment)**

Federal entity before which representation occurred: NAVAIR Patuxent River, MD

Representation on behalf of: Saalex Solutions, Inc.

Was the communication/representation: ☐ oral? ☐ and/or written?

☐ Former employee termination service before January 1, 1991. Check subsections involved:

☐ 207(a) ☐ 207(b)(i) ☐ 207(b)(ii) ☐ 207(c)

☒ Former employee termination service on or after January 1, 1991. Check subsections involved:

☒ 207(a)(1) ☐ 207(a)(2) ☐ 207(b) ☐ 207(c) ☐ 207(d) ☐ 207(f)

If 207(b) or 207(f) is checked, was behind-the-scenes aid or advice involved? ☒ Yes ☐ No

☐ **18 U.S.C. § 208 (Acts Affecting a Personal Financial Interest)**

Does the case involve the financial interest: ☐ of the employee? ☐ of the employee's spouse?

☐ Minor child? ☐ A firm with which the employee was negotiating for employment?

☐ Other? (specify) _____

Was a waiver sought? ☐ Yes ☐ No Was it granted? ☐ Yes ☐ No

Was the employee required to file a financial disclosure form? ☐ Yes ☐ No If yes, check form involved:

☐ SF 278 ☐ OGE Form 450 ☐ Other (specify) _____

If so, was the basis for the interest disclosed on the financial disclosure form? ☐ Yes ☐ No

☐ **18 U.S.C. § 209 (Supplementation of Salary)**

Type of supplementation (meals, travel, cash, etc.): _____

Value of supplementation: \$ _____ Number of supplements: _____

☐ **Additional Statutes Involved in Conflict of Interest Referrals**

Was 18 U.S.C. § 201 (bribery/gratuity) involved? ☐ Yes ☐ No

Was 5 U.S.C. App. (Ethics in Government Act) § 501 (outside earned income) involved? ☐ Yes ☐ No

Was 5 U.S.C. App. (Ethics in Government Act) § 502 (outside employment) involved? ☐ Yes ☐ No

Was 18 U.S.C. § 1001 (false statements) involved? ☐ Yes ☐ No

Was 5 U.S.C. App. (Ethics in Government Act) § 101 et seq. (Financial disclosure) involved? ☐ Yes ☐ No

Other (list): _____

Agency Contact/Telephone Number

NCISHQ, 571-305-903

Date

7/27/2011

OGE Form 202 (11/04)

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Statutory/Regulatory Background

28 U.S.C. § 535 requires every department or agency to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the United States Code involving Government employees, including possible violations of 18 U.S.C. § 207 by former Government employees. The Director of the Office of Government Ethics (OGE), in accordance with 5 U.S.C. App. § 402(e)(2), has promulgated regulations at 5 C.F.R. § 2638.603 requiring agencies to concurrently notify the Director when any matter involving a violation of 18 U.S.C. §§ 203, 205, 207, 208, and/or 209 is referred to the Department of Justice pursuant to 28 U.S.C. § 535. Such notification may be accomplished by providing a copy of the referral document or by submitting this optional form, unless such notification would otherwise be prohibited by law. OGE regulations also require that the department or agency subsequently notify the Director of the referral's disposition, including any disciplinary or corrective action taken by the department or agency. 5 C.F.R. § 2638.603(c). Information relating to the disposition of a referral may be communicated to the Director in writing.

PART III ADDITIONAL AGENCY COMMENTS (if any):

SEE ATTACHED PAGE

PART IV DISPOSITION OF REFERRAL (OGE use only):

☐ DOJ declined prosecution.

☐ DOJ initiated prosecution.

Resolution:

Agency disciplinary or corrective action, if any: